

**Janet Napolitano**  
Governor

**Robert B. Pinkert, O.D.**  
President

**Christina M. Sorenson, O.D.**  
Vice President



*Arizona State Board of Optometry*  
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**Margaret Whelan**  
Executive Director

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## **FINAL MINUTES FOR REGULAR SESSION MEETING: APRIL 21, 2006**

### **Board Members**

Robert B. Pinkert, O.D., President  
Christina M. Sorenson, O.D., Vice-President  
Caroline Griego, O.D.  
Robert J. Maynard, O.D.  
Curtis R. Winkler, M.D.

### **Staff:**

Margaret Whelan, Executive Director  
Paula Hollins, Licensing Administrator

### **Legal Counsel:**

Melissa Cornelius, Assistant Attorney General

### **A. CALL TO ORDER:**

Dr. Pinkert called the meeting to order at 9:03 a.m.

### **B. ROLL CALL:**

Board Members Present: Robert B. Pinkert, O.D., President  
Robert J. Maynard, O.D.  
Caroline Griego, O.D.  
Curtis Winkler, M.D.

Board Members Absent: Christina M. Sorenson, O.D., Vice President

Legal Counsel Present: Melissa Cornelius, Assistant Attorney General

Staff Present: Margaret Whelan, Executive Director  
Paula Hollins, Licensing Administrator

### **C. PRESIDENT'S REPORT:**

Dr. Pinkert reported that annual performance appraisals for the Executive Director are due.

**D. INFORMAL INTERVIEW:**

1. K.M. vs. Christine Liu, O.D., and ASBOO vs. Christine Liu, O.D. IR#200607 & IR#200614

Dr. Pinkert summarized the case and recommended the Board dismiss IR#200614 for lack of violation of the optometric practice act and issue a letter of concern for IR#200607 for issues of recordkeeping based on findings of fact.

**MOTION:** Dr. Pinkert moved to dismiss IR#200614 due to lack of violation of the optometric practice act. Dr. Maynard seconded the motion.

**VOTE:** Motion passed 4-0.

**MOTION:** Based on the findings of fact and conclusions of law, Dr. Pinkert moved to issue a Letter of Concern to Dr. Liu for violation of record keeping pursuant to A.R.S. §32-1743(15) Failing to maintain or submit records as required by this chapter. Dr. Winkler seconded the motion.

**VOTE:** Motion passed 3-1. Dr. Maynard voted nay.

**E. REVIEW, DISCUSSION AND VOTE ON INVESTIGATION REVIEWS/COMPLAINTS:**

2. R.H. vs. Michael Sellers, O.D. IR#200615

Dr. Pinkert summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

**MOTION:** Dr. Maynard moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Winkler seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Vacant Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** Motion passed 4-0.

3. D.G. vs. Lilien Vogl, O.D. IR#200616

Dr. Griego summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

**MOTION:** Dr. Griego moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Winkler seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Vacant Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** Motion passed 4-0.

4. I.M. vs. Clark Campbell, O.D.

IR#200617

Dr. Winkler summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

**MOTION:** Dr. Winkler moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Griego seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Vacant Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** Motion passed 4-0.

5. M.D. vs. Lisa Ho, O.D.

IR#200618

Dr. Griego summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

**MOTION:** Dr. Griego moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Pinkert seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Vacant Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** Motion passed 4-0.

**F. REVIEW, DISCUSSION AND CONSIDERATION OF DISCLAIMERS ON PRESCRIPTIONS.**

Follow up report by Ms. Cornelius

**G. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING REGULAR LICENSE APPLICATIONS:**

6. Chow, Karen
7. Haligowski, Marion
8. Hedges, Jacob
9. Le, Dien
10. Melfi, Thomas
11. Oblad, Matthew
12. Sea, Wen-ching
13. Westphal, Carl

**MOTION:** Dr. Maynard moved to approve items 6-13 for licensure. Dr. Pinkert seconded the motion.

**AMENDED MOTION:** Dr. Maynard moved to amend the motion to grant licenses for items 6-13 excluding item 8. Dr. Pinkert seconded the motion.

**VOTE:** Motions passed 4-0.

**MOTION:** Dr. Pinkert moved to table item 8 and set up a teleconference or interview with the applicant at the next board meeting for the purpose of substantive review. Dr. Maynard seconded the motion.

**VOTE:** Motion passed 4-0.

**H. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING ENDORSEMENT APPLICATIONS:**

14. Baird, Brian
15. Gerdes, Gregory
16. Hawks, Terry
17. Larsen, Stephen
18. Nevel, Bernard
19. Spinozzi, Louis

**MOTION:** Dr. Pinkert moved to approve items 14-19 excluding item 18 for licensure. Dr. Maynard seconded the motion.

**VOTE:** Motion passed 4-0.

**MOTION:** Dr. Pinkert moved to table item 18 until the applicant provides documentation to complete the application. Dr. Maynard seconded the motion.

**VOTE:** Motion passed 4-0.

**I. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. §32-1704 (D) and A.A.C. R4-21-208.**

**Fiscal Year 2005/2006**

	<b>Continuing Education</b>	<b>Date</b>	<b>No. of hours requested</b>
a.	Business of Eye Care Forum	3/18/06	6.5 Practice Management
b.	41 <sup>st</sup> Annual Postgraduate Seminar	3/18/06	14 Regular
c.	Contact Lens Update 2006	2/19/06	6 Regular
d.	Refractive Lens Exchange and the Surgical Correction of Presbyopia	11/2/05	4 Regular

**MOTION:** Dr. Pinkert moved to accept items a and b changing item a from Regular hours to Practice Management hours. Dr. Maynard seconded the motion.

**VOTE:** The motion passed 4-0.

**MOTION:** Dr. Pinkert moved to accept items c and d. Dr. Griego seconded the motion.

**VOTE:** The motion passed 4-0.

**J. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION FOR KEVIN RUSSELL, O.D.**

20. Letter requesting approval of non-transcript quality continuing education.

**MOTION:** Dr. Pinkert moved to deny request for the approval of non-transcript quality continuing education of online courses, as they do not meet the requirements of the Consent Agreement. Dr. Maynard seconded the motion.

**VOTE:** Motion passed 4-0.

**K. REVIEW, DISCUSSION AND POSSIBLE VOTE ON INVESTIGATIVE PROCESS AND ASSIGNMENT OF COMPLAINTS**

Ms. Cornelius discussed the handling and Board review of complaints.

**L. REVIEW, DISCUSSION AND POSSIBLE VOTE ON BOARD MEMBER TRAVEL REQUEST FOR ARBO REGIONAL MEETING.**

21. Review of travel request for Dr. Sorenson.

**MOTION:** Dr. Pinkert moved to approve the travel request for Dr. Sorenson. Dr. Griego seconded the motion.

**VOTE:** Motion passed 4-0.

**M. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF BOARD MEETING MINUTES.**

- 22. February 17, 2006 Regular Session Minutes
- 23. February 17, 2006 Executive Session Minutes

**MOTION:** Dr. Maynard moved to approve tabs 22-23 as written. Dr. Pinkert seconded the motion.

**VOTE:** The motion passed 4-0.

**N. EXECUTIVE DIRECTOR'S REPORT:**

- 24. Budget
- 25. Legislation
- 26. Discussion and direction to staff regarding internal policy relating to domestic violence and providing an address of record
- 27. Next Board meeting

Ms. Whelan reported on tabs 24-27 inclusive.

**MOTION:** Dr. Winkler moved to table item 26 for further discussion at a future Board meeting. Dr. Pinkert seconded the motion.

**VOTE:** The motion passed 4-0.

**O. EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES AND EVALUATION OF EXECUTIVE DIRECTOR:**

- 28. Evaluation Forms

The Board went into executive session at 10:29 a.m.  
The Board reconvened regular session at 10:40 a.m.

**P. REVIEW, DISCUSSION AND VOTE ON PERSONNEL ISSUES PERTAINING TO ITEM O. ABOVE.**

**MOTION:** Dr. Pinkert moved to increase the Executive Director's current salary by 13% and endorse an increase for the Licensing Administrator. Dr. Griego seconded the motion.

**VOTE:** Motion passed 4-0.

**Q. CALL TO PUBLIC:**

Dr. Pinkert moved to adjourn the meeting. Meeting adjourned at 11.52.

**END OF MINUTES:**

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Margaret Whelan, Executive Director

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Date